

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2010-090211

04/22/2010

HONORABLE JAMES P. BEENE

CLERK OF THE COURT

K. Alger

Deputy

IN RE THE MARRIAGE OF
AARRON BRASKETT

WILLIAM R WINGARD

AND

MELANIE BRASKETT

MAUREEN E GREGAN

FAMILY COURT SERVICES-CCC

ORDER

On February 9, 2010, Respondent/Mother filed a motion for temporary orders. On April 14 and 21, 2010, the Court held an evidentiary hearing on Mother's motion for temporary orders. Mother and Father testified at the hearing. Based on the testimony presented at the hearing, the Court issues the following temporary orders.

PHYSICAL CUSTODY

On February 26, 2010, the Court awarded the parties temporary joint legal custody of the minor child. As part of the temporary joint legal custody award, Mother was designated as the primary residential parent and Father's parenting time was set forth as follows:

Father shall have care of the minor child every other Friday at 9:00 a.m. until Sunday at 6:00 p.m. Additionally, Father shall have care of the minor child every Tuesday and Thursday from 5:00 p.m. until 8:00 p.m.

At the hearing, Mother testified that her compliance with the Court ordered parenting time on Tuesday evening caused her to be late to school. Based on the testimony presented at the hearing on this issue,

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IT IS ORDERED modifying the Court's February 26, 2010 parenting time order to allow Father to have care of the minor child every Wednesday from 3:00 p.m. until 6:00 p.m. Father's parenting time on Thursdays will remain the same.

IT IS FURTHER ORDERED that if a party cannot exercise their assigned parenting time, that party shall immediately contact the other party and extend to them the opportunity to take care of the minor child during that time period.

CHILD SUPPORT

For child support purposes, the Court makes the following findings:

Mother's Income	\$0.00
Father's Income	\$3,458.92
Adjustments to Father's Income	\$(200.00)
Adjustments to Mother's Income	\$200.00
Basic Support Obligation	\$653.00
Over 12 Adjustment	\$0.00
Child Care Paid by Mother	\$0.00
Health Insurance Paid by Father	\$81.00
Parenting Time Adjustment (96 days)	16.1 percent

In applying these findings under the Arizona Child Support Guidelines,

IT IS ORDERED that Father shall pay temporary child support to Mother in the total amount of **\$500.00 per month, commencing March 1, 2010**. All payments shall be made through the Support Clearinghouse via an automatic Order of Assignment issued this date. Father is advised that until such time as the Order of Assignment becomes effective, Father has an affirmative obligation to pay the child support directly to the Support Clearinghouse.

SPOUSAL MAINTENANCE

At the hearing on Mother's motion for temporary orders, Mother requested that the Court award her \$500.00 per month in temporary spousal maintenance.

THE COURT FINDS that Mother qualifies for an award of spousal maintenance under A.R.S. § 25-319(A) in that Mother is the custodian of a child whose age and condition is such that the custodian should not be required to seek employment outside the home. In determining the amount and duration of spousal maintenance, the Court has considered the factors set forth in A.R.S. § 25-319(B).

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IT IS ORDERED that Father shall temporarily pay to Mother spousal maintenance in the amount of \$200.00 per month, commencing March 1, 2010. All spousal maintenance paid by Father to Mother shall be tax deductible for Father and shall be deemed income to Mother for income tax purposes. The spousal maintenance payments shall be made through the Support Clearinghouse. An automatic Order of Assignment is issued herewith. Until it becomes effective, Father shall be responsible for ensuring that the payment is made through the Support Clearinghouse.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

FILED: Exhibits Worksheet

DATED the 22nd day of April, 2010

/S/ HONORABLE JAMES P. BEENE

JAMES P. BEENE
JUDGE OF THE SUPERIOR COURT

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.